

Wetlands Bureau Decision Report

Decisions Taken
09/14/2009 to 09/20/2009

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2005-00558 SUMAC CORPORATION
HEBRON Newfound Lake

Requested Action:

Approve name change to: Sumac Corporation, 200 Clarendon St., Boston, MA 02116 per request received 9/4/09. Previous owner: Newfound Lake Marina, Inc.

APPROVE NAME CHANGE:

Dredge 1,152 cu yd from 9,600 sq ft, completely remove 2,040 sq ft building from public waters, construct 1,084 linear ft of retaining wall, and reconfigure and upgrade docking facilities within an existing marina resulting in a reduction in the number of slips provided from 111 to 95 within a previously dredged inlet off the Cockermouth River in Hebron.

With Conditions:

1. All work shall be in accordance with plans by Barnard Survey Associates dated February 6, 2005, as received by the Department on March 25, 2005 and cross sections by Neil McIver revised June 30 2005, and received by the Department on June 30, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that a violation of DES requirements, Wetlands Program or otherwise, exists.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work shall be done during draw down.
6. Upland and bank areas landward of the boat ramp shall not be disturbed by regrading or filling, to minimize the potential for erosion of materials into public waters.
7. The ramp approach shall be crowned so that drainage is directed away from the slope of the ramp.
8. This marina shall be maintained indefinitely as a publicly available facility providing access to Newfound Lake and shall not change in use.
9. No dredge shall occur below Elevation 581.0.
10. All dredged materials and construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. No materials shall be dredged or deposited within 20 feet of an abutting property line or the imaginary extension of that line into the water.
12. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
13. All seasonal structures shall be removed from the lake for the non-boating season.
14. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
15. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
19. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

-Send to Governor and Executive Council-

2008-02781 NH FISH & GAME DEPARTMENT
NEWBURY Sunapee Lake

Requested Action:

Appellant requests reconsideration of the Department's July 21, 2009 decision to approve impacts associated with the construction of a proposed public boat launching facility.

DENY RECONSIDERATION:

Deny reconsideration and re-affirm the approval of the permit for impacts necessary to construct a dual launch boatramp with a permanent, floating, center pier, to provide public access to Lake Sunapee from property located off Birch Grove Road, in Newbury.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:10, III, Appeals, "On reconsideration, the department shall receive and consider any new and additional evidence presented, and shall make findings of fact and rulings of law in support of its decision after reconsideration."

Findings of Fact

1. On July 21, 2009 the DES issued written notification that it had approved the permit to excavate 125 sq ft of bank and dredge 2,490 sq ft of lake bed to construct a dual launch boatramp with an 8 ft x 30 ft permanent, floating, center pier, to provide public access to Lake Sunapee on property identified as Newbury tax map 19, lot 401,244.
2. On August 19, 2009 the Department of Environmental Services received a request, filed on behalf of the Town of Newbury, for reconsideration of its decision to issue a Wetlands Permit for impacts associated with construction of the boat ramp.
3. The Request for Reconsideration disputes DES' interpretation of multiple points of both rule and law but contains no new evidence or information which was not considered by DES in its original review and decision to issue an approval of the project.

Rulings in Support of the Decision

1. In the absence of any new and additional evidence indicating that the proposed impacts fail to meet the requirements established under RSA 482-A, DES reaffirms its decision to approve the project on the basis of its original findings as issued on July 21, 2009.

-Send to Governor and Executive Council-

2009-00145 DAVIS, STEVEN & DEBORAH
GILFORD Lake Winnepesaukee

Requested Action:

Repair 88 linear ft of breakwater, in an "dogleg" configuration, with a 5 ft gap at the shoreline, and an 8 ft x 35 ft cantilevered pier accessed by a 5 ft 6 in x 32 ft walkway, drive 3 fender/tie-off pilings and install 14 ft x 30 ft seasonal canopy on an average of 110 ft of frontage on Locke Island, in Lake Winnepesaukee.

APPROVE PERMIT:

Repair 88 linear ft of breakwater, in an "dogleg" configuration, with a 5 ft gap at the shoreline, and an 8 ft x 35 ft cantilevered pier accessed by a 5 ft 6 in x 32 ft walkway, drive 3 fender/tie-off pilings and install 14 ft x 30 ft seasonal canopy on an average of 110 ft of frontage on Locke Island, in Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction revised August 23, 2009, as received by the Department on August 26, 2009.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall maintain at least the current distances from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 84 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
9. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.
10. Only existing rocks which have fallen shall be used for the repairs. No additional rocks may be brought on site.
13. The breakwater shall have an irregular face to dissipate wave energy.
14. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
15. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of docking structures associated with a breakwater.
2. The applicant has an average of 110 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13 Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2,VIII, and therefore meets Rule Env-Wt 402.13.
5. Public hearing is waived based on field inspection, by NH DES staff, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
6. The existing breakwater has no documented history of causing adverse effects on sand migration along this shoreline.

-Send to Governor and Executive Council-

2009-00155 WOLFEBORO, TOWN OF
WOLFEBORO Unnamed Wetland Prime Wetland #27

Requested Action:

Proposal to impact 23,600 sq. ft. of wetlands/buffer to expand parking, access road construction, addition of an American Disabilities Act (ADA) compliant bathroom to an existing building and upgrades to an existing water withdrawal pipe used for snowmaking at the town owned ski area/recreational facility ("Abenaki Ski Area"). Work in wetlands consists of 13,610 sq. ft. (includes 2,500 sq. ft. of temporary impacts) of impact to the 100 ft. buffer of prime wetland #27, for construction of a parking area, access road, ADA compliant bathroom/building addition and upgrades to the snowmaking water withdrawal pipe; 130 sq. ft. of temporary impacts to the edge of prime wetland #27 for installation of the water withdrawal pipe intake and 9,860 sq. ft. of impacts to wetlands for construction of the parking area and new access road. Compensatory mitigation for the impacts to the prime wetlands and prime wetlands buffer consists of 10,600 sq. ft. of prime wetland buffer restoration/enhancement and deed restriction placed on approximately 11 acres of the lot surrounding prime wetland #27.

APPROVE PERMIT:

Impact 23,600 sq. ft. of wetlands/buffer to expand parking, access road construction, addition of an American Disabilities Act (ADA) compliant bathroom to an existing building and upgrades to an existing water withdrawal pipe used for snowmaking at the town owned ski area/recreational facility ("Abenaki Ski Area"). Work in wetlands consists of 13,610 sq. ft. (includes 2,500 sq. ft. of temporary impacts) of impact to the 100 ft. buffer of prime wetland #27, for construction of a parking area, access road, ADA compliant bathroom/building addition and upgrades to the snowmaking water withdrawal pipe; 130 sq. ft. of temporary impacts to the edge of prime wetland #27 for installation of the water withdrawal pipe intake and 9,860 sq. ft. of impacts to wetlands for construction of the parking area and new access road. Compensatory mitigation for the impacts to the prime wetlands and prime wetlands buffer consists of 10,600 sq. ft. of prime wetland buffer restoration/enhancement and deed restriction placed on approximately 11 acres of the lot surrounding prime wetland #27.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates, Inc., revision dated January 26, 2009, as received by DES on January 29, 2009 and Deed Restriction Area Plan, dated March 19, 2009, as received by DES on March 24, 2009 and narratives by NHSC Inc., as received by DES on January 29, 2009.
2. This permit is contingent on compliance with the DES Watershed Management Bureau and the DES Water Use Registration and Reporting Program.
3. The applicant shall consult and coordinate with the New Hampshire Fish and Game Department, Nongame and Endangered Wildlife Program if water withdrawals are proposed which are greater than currently proposed and permitted.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
14. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
15. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
16. Temporary cofferdams shall be entirely removed immediately following construction.
17. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
18. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
19. The applicant shall notify in writing the DES Wetlands Bureau and the Conservation Commission of his/her intention to start construction no less than five (5) business days prior to the commencement of construction.
20. The boundaries of the 100-foot prime wetland buffer shall be clearly marked with orange construction fencing prior to construction, shall be remain marked until construction is complete and the work area is fully stabilized.
21. The boundaries of the 100-foot prime wetland buffer shall be permanently and clearly marked with signs every 75 feet to indicate the location of and restrictions on the area.
22. Erosion controls shall be properly installed and maintained and the construction sequence shall be performed in accordance with the approved plans. It is the responsibility of the permittee to ensure that the erosion controls are adequate for the site.

23. Any additional land disturbance, construction or project activities within the 100-foot Prime Wetland Buffer without a wetlands permit may be considered in violation of RSA 482-A and may be subject to enforcement action by the Department of Environmental Services, including, but not limited to, the issuance of fines, administrative orders, or referral to the Department of Justice for the imposition of appropriate penalties.
24. A qualified professional shall inspect the project to insure compliance with approved plans and permit conditions prior to completion of the project. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
25. This permit is contingent upon the restoration/enhancement of 10,600 sq. ft. of prime wetlands buffer in accordance with plans received January 29, 2009 and March 24, 2009 and narratives received January 29, 2009.
26. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
27. The schedule for construction of the mitigation area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
28. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
29. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
30. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation areas and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
31. Wetland enhancement areas shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or shall be replanted until it is replicated in a manner satisfactory to the DES Wetlands Bureau.
32. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
33. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
34. This permit is contingent upon the execution of a deed restriction on 10.98 acres, as depicted on plans received March 24, 2009.
35. The restrictions are to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
36. The plan noting the restrictions with a copy of the final language shall be recorded with the Registry of Deeds Office for each appropriate lot.
37. The mitigation areas shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
38. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The detailed engineering plans accurately locate the boundary of the wetlands, prime wetlands and prime wetland buffer.
6. DES has consulted New Hampshire Fish and Game Department, Nongame and Endangered Wildlife Program and they have no concerns with the project as proposed. They have requested that the applicant consult with them if future water withdrawals/drawdowns are proposed which are greater than currently proposed and permitted.
7. The applicant has been working with the NH DES Water Use Registration and Reporting Program.
8. The approved plans and conditions of the permit provide for restoration/enhancement of prime wetlands buffer and protection of approximately 11 acres of land that consists of a combination of prime wetlands, wetlands, prime wetland buffer and uplands.

9. The site is currently used as a public recreation facility by the Town.
10. The site contains historic impacts within the now delineated prime wetlands and prime wetlands buffer.
11. The pond/prime wetland has been used historically as a water source for the skating rink and more recently for snow making activities.
12. The applicant has indicated that the proposed water withdrawal will only lower the pond elevation by 1.76 inches during the ski season.
13. A public hearing was held at DES on August 4, 2009.
14. No one spoke in opposition to the proposed project.
15. DES has not received any comments in opposition to the proposed project.
16. Based on findings #1 through 15 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

Any party may apply for reconsideration with respect to any matter determined in this action within 30 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The Department may grant reconsideration if, in its opinion, good reason is provided in the motion.

2009-01361 HITT, GERALD & JENNIFER
MEREDITH Within 100 Buffer Of Prime Wetland

Requested Action:

Proposal to temporarily impact approximately 9721 sq. ft. (includes 2210 sq. ft. permanent impact) of prime wetland buffer (Mill Brook Prime Wetland #35) and work within the Protected Shoreland of Winnisquam Lake. Impacts within jurisdiction consists of a temporary work area for removal and replacement of a pre-existing 3 bedroom home with a new larger 3 bedroom home on the same building location. The new home/impermeable area will increase by approximately 796 square feet.

APPROVE PERMIT:

Approval to temporarily impact approximately 9721 sq. ft. (includes 2210 sq. ft. permanent impact) of prime wetland buffer (Mill Brook Prime Wetland #35) and work within the Protected Shoreland of Winnisquam Lake. Impacts within jurisdiction consists of a temporary work area for removal and replacement of a pre-existing 3 bedroom home with a new larger 3 bedroom home on the same building location. The new home/impermeable area will increase by approximately 796 square feet.

With Conditions:

1. All work shall be in accordance with the "Existing Conditions" plan stamped by NH Certified Wetland Scientist Nicol W. Roseberry, "Proposed House" plan, "Site Overview Plan", associated reference plans and narratives, as received by DES on June 26, 2009.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a additional approval by the Bureau.
3. The boundaries of the prime wetland buffer shall be permanently and clearly marked with signs every 75 feet to indicate the location of and restrictions on the area.
4. A land resource professional shall inspect the project to insure compliance with approved plans and permit conditions prior to completion of the project. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. All temporary impacts and disturbed soil areas shall be re-vegetated.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. Silt fencing must be removed once the area is stabilized.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. The applicant shall notify in writing the DES Wetlands Bureau and the Conservation Commission of his/her intention to start construction no less than five (5) business days prior to the commencement of construction.
16. Erosion controls shall be properly installed and maintained and the construction sequence shall be performed in accordance with the approved plans. It is the responsibility of the permittee to ensure that the erosion controls are adequate for the site.
17. Any additional human activities within the 100-foot Prime Wetland Buffer without a wetlands permit/approval may be considered in violation of RSA 482-A and may be subject to enforcement action by the Department of Environmental Services, including, but not limited to, the issuance of fines, administrative orders, or referral to the Department of Justice for the imposition of appropriate penalties.
18. This approval is for authorization of the new home and temporary impacts associated with the construction of the new home within the prime wetland buffer and between the 150 and 250 foot Shoreland buffer as defined by RSA 483-B and is not for approval of any existing structures, future structures or activities on the property that are under the department's jurisdiction.
19. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
20. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
20. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
21. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The submitted plans locate the boundary of the wetlands and prime wetlands.
6. The existing and proposed home is within the same location and almost entirely within the footprint of the previous home.
7. The Shoreland Protection Section has reviewed the submitted shoreland application/permit information per RSA 483-B and determined that the project is approvable and can be issued with the Wetlands Bureau's permit.
8. There are no permanent impacts proposed beyond the footprint of the proposed house.
9. The home site is currently a combination of open lawn and disturbed soils from the removed home.
10. This approval is conditioned that all temporary impacts and disturbed soil areas will be re-vegetated.
11. If the home site was moved further from the prime wetland or buffer it would require clearing of currently forested areas between the prime wetland and Collins Brook.
12. The Meredith Conservation Commission has submitted a letter recommending approval of the proposed project.
13. The department has not received any comments in objection to the proposed project.
14. Effective September 11, 2009, RSA 482-A:11 IV.(a) was amended to require a public hearing only if deemed necessary by the department per RSA 482-A:8.
15. The department has determined that a hearing is not necessary based on findings #1 through #13 and the fact that there are no proposed direct impacts to any onsite wetlands and the proposed work in the prime wetland buffer is within a previously disturbed area and existing home site.
16. Based on findings #1 through #15 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

Any party may apply for reconsideration with respect to any matter determined in this action within 30 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made.

MINOR IMPACT PROJECT

2007-00611 CLAREMONT SAVINGS BANK, C/O SHERWOOD MOODY
SUNAPEE Unnamed Wetland

Requested Action:

Approve name change to: Claremont Savings Bank, C/O Sherwood Moody, PO box 1600, Claremont, NH 03743 per request received 9/11/09.

Previous owner: New Liden Realty Trust

APPROVE NAME CHANGE:

Dredge and fill approximately 6,121 square feet of palustrine forested wetlands and intermittent and perennial stream channels (160 linear feet) for driveway and road access to a 12-lot subdivision on \pm 74.8 acres.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers, Inc. dated January 2007, and revised through January 31, 2007, and plans dated March 2007, and revised through August 23, 2007, as received by the Department on September 04, 2007.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. This permit is contingent on approval by the DES Alteration of Terrain Program.
7. Work shall be done during low flow conditions.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Native material removed from the streambed during the embedded culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert. Any new materials used must be similar to the natural stream substrate and shall not include angular riprap.
14. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2008-00822 SWISS VIEW CONDOS
BRISTOL Newfound Lake

Requested Action:

Retain 76 linear feet of fence, remove 20 linear feet of fence near the western property line on Newfound Lake, Bristol.

Conservation Commission/Staff Comments:

No comments from Con Com by Sept 24, 2008

APPROVE PERMIT:

Retain 76 linear feet of fence, remove 20 linear feet of fence near the western property line on Newfound Lake, Bristol.

With Conditions:

1. All work shall be in accordance with plans by Granite State Surveying dated August 08, 2007, modified by others as received by DES on August 21, 2009.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. The 20 feet of fence shall be removed within 30 days of the issuance of this permit.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum by the Department based on the degree of environmental impact.

2009-00571 BEAR HILL CONSERVANCY TRUST, DAVID ROBY
LYME Unnamed Wetland Hewes Brook

Requested Action:

Propose to impact 18,320 square feet of wet meadow wetlands, including 160 linear feet of an intermittent stream, for the construction a wildlife pond that incorporates a variety of habitat types. Work will include creation of deepwater pond habitat, shallow marsh wetlands, gravel spawning areas, rock shore, and the creation of two vernal pools. The project area is part of the Bear Hill Conservancy Trust whose purpose is to preserve over 4,000 acres of land in the Towns of Lyme and Hanover and to manage the land for biological diversity.

APPROVE PERMIT:

Impact 18,320 square feet of wet meadow wetlands, including 160 linear feet of an intermittent stream, for the construction a wildlife pond that incorporates a variety of habitat types. Work will include creation of deepwater pond habitat, shallow marsh wetlands, gravel spawning areas, rock shore, and the creation of two vernal pools. The project area is part of the Bear Hill Conservancy Trust whose purpose is to preserve over 4,000 acres of land in the Towns of Lyme and Hanover and to manage the land for biological diversity.

With Conditions:

1. All work shall be in accordance with revised plans by James S. Kennedy entitled Existing Conditions & Impacts (D-1); and Site

Plan (D-2) dated September 01, 2009 as received by the Department on September 15, 2009.

2. This permit is contingent upon review and coordination with the DES Watershed Management Bureau's Water Quality Planning Section.
3. Work shall be done during non-flow.
4. Wetland creation areas shall be properly constructed, landscaped, monitored and remedial actions taken if necessary to create functioning wetland areas. Remedial measures may include replanting, relocating plantings, removal of invasive species.
5. The permittee shall designate a qualified professional who will have the responsibility to ensure that the area is constructed in accordance with the revised plan, that monitoring is accomplished in a timely fashion, and remedial measures are taken if necessary.
6. The permittee shall conduct a follow-up inspection after the first growing season, to review the success of the area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the initial completion of the pond site.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
8. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
9. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. Silt fencing must be removed once the area is stabilized.
14. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

With Findings:

1. This is a minor impact project per Env-Wt 303.03 (e) Construction of a pond with less than 20,000 square feet of impact in a wetland or surface waters, which does not meet the criteria of Env-Wt 303.04(p);
2. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
3. Plans were revised to include a 25-foot riparian buffer with transplanted shrubs and tall forbs to address NHFG concerns regarding the potential of a combination of lawn or mowed grass and open water to attract resident Canada Geese with potential negative impacts to water quality from E. coli, etc.
4. Project revisions added woody debris and gravel spawning areas to the pond inlet and outlet.
5. Project revisions removed the riser pipes from the vernal pool creation areas.
6. There will be no new permanent development on the property or within 2,000 feet of the project.
7. The project is part of the Bear Hill Conservancy Trust whose purpose is to preserve over 4,000 acres of land in the Towns of Lyme and Hanover and to manage the land for biological diversity.
8. The Bear Hill Conservancy Trust lands will be open to the public for recreation and education. The land is being proposed as a conservation easement to the U.S. Fish and Wildlife Service as part of the Silvio Conte National Wildlife Refuge. The Nature Conservancy is working towards this goal.
9. A Conservation Ecologist from Moosewood Ecological LLC stated that the creation of an open waterbody adjacent to the forested and scrub-shrub wetlands at the site could create an opportunity for greater avifaunal diversity while creating a mosaic of available habitats.
10. A Certified Wetland Scientist will monitor construction to assure fish habitat.
11. The proposed pond project will not only create open water habitat, but will also create shallow marsh and emergent wetlands,

beach/boulder/gravel habitat, and flooded timber land.

12. The project will disturb 98,835 square feet of terrain.

13. The NHFG Nongame and Endangered Species Program does not expect impacts to wood turtle, a species of conservation concern, as a result of the proposed pond construction as the known occurrence record is associated with Hewes Brook. Neither do they expect that the project will benefit wood turtle if their preferred stream habitat will be altered.

14. No comments were submitted from the NH Natural Heritage Bureau or the Lyme Conservation Commission.

2009-00633 SMITH, RANDALL
SULLIVAN Meetinghouse Brook

Requested Action:

Dredge and fill \pm 400 sq. ft. and Meetinghouse Brook and unnamed intermittent stream to replace a 36-inch corrugated metal culvert with a 48-inch HDPE culvert at South Road/intermittent stream, replace a 48-inch corrugated culvert with a 48-inch culvert at Cross Road/Meetinghouse Brook, replace a 36-inch culvert with a 42-inch culvert at Cross Road/intermittent stream and replace a 30-inch and 16-inch concrete culvert with a 60-inch corrugated metal culvert at Meetinghouse Brook/gravel road behind fire station.

APPROVE PERMIT:

Dredge and fill \pm 400 sq. ft. and Meetinghouse Brook and unnamed intermittent stream to replace a 36-inch corrugated metal culvert with a 48-inch HDPE culvert at South Road/intermittent stream, replace a 48-inch corrugated culvert with a 48-inch culvert at Cross Road/Meetinghouse Brook, replace a 36-inch culvert with a 42-inch culvert at Cross Road/intermittent stream and replace a 30-inch and 16-inch concrete culvert with a 60-inch corrugated metal culvert at Meetinghouse Brook/gravel road behind fire station.

With Conditions:

1. For sites 1, 3 & 4 all work shall be in accordance with plans by Beaver Tracks, LLC, as received by the Department on June 25, 2009 and for site 2 all work shall be in accordance with plans by Beaver Tracks, LLC as received by the DES Wetlands Bureau on August 28, 2009.
2. Work shall be done during annual low.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. There shall be no excavation or operation of construction equipment in flowing water.
10. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the DES Wetlands Bureau.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
13. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather

conditions.

14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Culverts shall be laid at original grade.
17. Proper headwalls shall be constructed within seven days of culvert installation.
18. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
19. Any new materials used in the stream channel must be similar to the natural stream substrate and shall not include angular rip-rap.
20. The channel at the culvert inlet and outlet must maintain the natural and a consistent streambed elevation and not impede stream flow.
21. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
22. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
23. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
24. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
25. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
26. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
27. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
28. A post-construction report including photographs documenting the status of the completed construction at all four (4) sites shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of intermittent and perennial stream.
2. The Applicant revised the Meetinghouse Brook gravel road crossing to a culvert that is 1.2 times the bankfull width (60 inches).
3. All proposed culvert lengths match the existing.
4. The Conservation Commission signed the originally submitted Minimum Impact Expedited Application.
5. No comments were submitted from the federal agencies, NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2009-00793 LLK TRUST, THOMAS WALKER
WOLFEBORO Lake Wentworth

Requested Action:

Applicant requests an amendment to allow the repair of 30 linear ft of retaining wall.

APPROVE AMENDMENT:

Amend permit to read: Install two 6 ft x 50 ft seasonal piers, each anchored by a 6 ft x 4 ft concrete pad located landward of the normal highwater line, connected by a 6 ft x 10 ft walkway in a "U" configuration with a 14 ft x 30 ft seasonal canopy over the center slip, install 2 seasonal boat lifts and 2 seasonal personal watercraft lifts, and repair 30 linear ft of stone retaining wall in the

bank on an average of 1,130 ft of frontage on Lake Wentworth in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated April 1, 2009, as received by DES on April 30, 2009 and plans by Watermark Marine Construction revised August 20, 2009, as received by DES on August 20, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. All seasonal structures shall be removed from the lake for the non-boating season.
6. No portion of the piers shall extend more than 50 feet from the shoreline at full lake elevation.
7. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be removed for the non-boating season. Further, the flexible fabric cover shall be removed during all seasons of non-use.
8. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. The repairs shall maintain the size, location and configuration of the pre-existing structures.
10. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
11. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 3 slip, seasonal docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 1,130 feet of shoreline frontage along Lake Wentworth.
4. A maximum of 16 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

**2009-00818 WASHINGTON, TOWN OF
WASHINGTON Unnamed Stream**

Requested Action:

Dredge and fill approx. 125 sq. ft. of unnamed perennial stream, Island Pond Dam outlet (NHDES Dam No. 245.03), to slip-line culvert and install riprap apron.

APPROVE PERMIT:

Dredge and fill approx. 125 sq. ft. of unnamed perennial stream, Island Pond Dam outlet (NHDES Dam No. 245.03), to slip-line culvert and install riprap apron.

With Conditions:

1. All work shall be in accordance with plans by Darrow Civil Engineering, PLLC dated April 24, 2009, as received by the Department on May 05, 2009.
2. Work shall be done during annual low flow conditions.
3. The Town shall obtain temporary construction easements from affected landowners outside of the existing road right-of-way and

shall supply copies of the recorded easements to DES Wetlands File No. 2009-00818 prior to construction.

4. This permit is contingent on approval from the DES Shoreland Program.
5. In the event water diversion is required at the time of construction, a stream diversion plan shall be submitted to the department prior to construction. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. There shall be no excavation or operation of construction equipment in flowing water.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
13. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Proper headwalls shall be constructed within seven days of culvert installation.
17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
21. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
22. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), alteration of less than 200 linear feet of a perennial stream.
2. The project engineer and NHDES Dam Bureau have confirmed the culvert can pass a 100-year storm.
3. The culvert is the dam outlet and fish passage is currently obstructed by the dam, therefore fish passage is not a concern.
4. The repairs are necessary to protect the existing dam.
5. In correspondence dated 09/03/2009, the NHDES Dam Bureau has indicated the proposed work is allowable and would not require a formal NHDES Dam Bureau permit.
6. See related DES Shoreland Program File No. 2009-01986.
7. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
8. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
9. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2009-01125 PSNH
GORHAM Androscoggin River

Requested Action:

Propose to impact 50 square feet (10 linear feet) of the bank of the Androscoggin River, a perennial stream, for the replacement of a deteriorated timber retaining wall with rock-filled gabion baskets.

APPROVE PERMIT:

Impact 50 square feet (10 linear feet) of the bank of the Androscoggin River, a perennial stream, for the replacement of a deteriorated timber retaining wall with rock-filled gabion baskets.

With Conditions:

1. All work shall be in accordance with plans by Kleinschmidt Energy and Water Resource Consultants entitled: Retaining Wall Repair Gorham Station: Site Plan Soil Erosion Control Plan (sheet 1 of 2), and Wall Plan (sheet 2 of 2) dated September 08, 2009 as received by DES on September 15, 2009.
2. Work shall be done during low flow conditions.
3. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
4. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. Construction equipment shall have specialized low ground pressure tracks, or the permittee shall utilize mats beneath machines when driving across the canal.
8. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
12. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
15. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a Minor Project per Administrative Rule Env-Wt 303.03 (l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. FERC directed PSNH to address the deteriorating retaining wall as part of their inspection process.
6. NHB determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, they do not expect that it will be impacted by the proposed project.
7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, or the Gorham Conservation Commission.

2009-01874 SANBORNTON, TOWN OF
SANBORNTON Emerson Brook

Requested Action:

Proposal to impact approximately 750 sq. ft. of perennial stream (Emerson Brook) for replacement of a failing one lane bridge on Shute Hill Road. Work will consist of removing the existing approximately 8 ft. span x 15 ft. run stone, timber and steel bridge and replacing with a 16 ft. span with center pier x 8 ft. high x approximately 28 ft. run concrete embedded box culvert.

APPROVE PERMIT:

Approval to impact approximately 750 sq. ft. of perennial stream (Emerson Brook) for replacement of a failing one lane bridge on Shute Hill Road. Work will consist of removing the existing approximately 8 ft. span x 15 ft. run stone, timber and steel bridge and replacing with a 16 ft. span with center pier x 8 ft. high x approximately 28 ft. run concrete embedded box culvert.

With Conditions:

1. All work shall be in accordance with plans by Fluet Engineering Associates, P.C., plans dated July 14, 2009, as received by DES on August 18, 2009.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. The Town shall obtain temporary construction easements and/or permission from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2009-01874 prior to construction.
6. Construction equipment shall not enter the surface water and shall conduct work from the adjacent banks and upland areas.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. The stream channel bed and culvert embedding materials shall be restored with natural round stone or existing natural streambed materials and shall not include angular rip-rap.
10. A qualified professional engineer shall monitor the project during construction to assure it constructed in accordance with the approved plans and narratives.
11. A post-construction report documenting the status of the restored streambed shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
12. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse.
13. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
14. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
17. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

19. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

20. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

21. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

22. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03 (l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial

nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n). For intermittent streams, this distance shall be measured along the thread of the channel. For perennial streams or rivers, the total disturbance shall be calculated by summing the lengths of disturbances to the channel and the banks.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The proposed work is to replace a failing culvert/bridge.

6. The culvert will contain a center pier, however, one side of the proposed culvert provides more flow capacity than the existing bridge.

7. The proposed project will incorporate grass lined swales to treat roadside runoff.

8. The proposed box culvert is sized to handle the 100-year storm event.

9. The larger culvert should help restore natural flows to the riverine system.

10. The New Hampshire Fish and Game Department did not comment.

11. The project is being funded by the American Recovery and Reinvestment Act of 2009 ("ARRA").

MINIMUM IMPACT PROJECT

2009-00475 COOPER STREET PARTNERS, ROBERT CAIA
SUNAPEE Unnamed Wetland

Requested Action:

Dredge and fill \pm 2,168 sq. ft. of palustrine forested wetlands to install a 60-inch x 90-foot corrugated HDPE culvert for road access to a proposed 13-lot subdivision on \pm 58.98 acres.

APPROVE PERMIT:

Dredge and fill \pm 2,168 sq. ft. of palustrine forested wetlands to install a 60-inch x 90-foot corrugated HDPE culvert for road access to a proposed 13-lot subdivision on \pm 58.98 acres.

With Conditions:

1. All work shall be in accordance with plans by TTG Environmental Consultants dated June 19, 2009, and revised through September 01, 2009, as received by the Department on September 02, 2009.

2. This permit is contingent on approval by the DES Alteration of Terrain Program.

3. This permit is contingent on approval by the DES Subsurface Systems Bureau.

4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 4 of this

approval.

6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during low flow conditions.
8. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Culverts shall be laid at original grade.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. The Agent had explained that the proposed entrance location was chosen to appease the Town and meet NHDOT site distance requirements and existing site drainage concerns.
3. No comments were submitted from federal agencies, the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Conservation Commission.
4. In a discussion on March 24, 2009, the Sunapee Zoning and Planning expressed concerns regarding development of the site, because the area is a drinking water protection area and previous site use may have resulted in waste issues. These concerns are not in the jurisdiction of the NHDES Wetlands Bureau and the Town was guided to the appropriate state programs.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2009-01365

DERRYFIELD SCHOOL, THE

MANCHESTER Unnamed Wetland Merrimack River

Requested Action:

Proposal for 250 sq. ft. of temporary wetlands impact for the construction associated with the installation of approximately 4,875 linear feet of new 20 in. diameter water main. The project includes directional drilling of the pipe under the Merrimack River with no impacts to the bed or banks of the Merrimack River.

APPROVE PERMIT:

Approval for approximately 250 sq. ft. of temporary wetlands impact for the construction associated with the installation of approximately 4,875 linear feet of new 20 in. diameter water main. The project includes directional drilling of the pipe under the Merrimack River with no impacts to the bed or banks of the river.

With Conditions:

1. All work shall be in accordance with plans by SEA Consultants Inc., dated June 19, 2009, as received by DES on June 29, 2009.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. The work shall comply with the recommendations by the New Hampshire Fish and Game Department, included in the application as e-mail dated May 6, 2009.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
8. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. Silt fencing must be removed once the area is stabilized.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
16. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore, stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has contacted the NH DES Alteration of Terrain Program and the DES Shoreland Protection program regarding any permitting requirements.
6. The applicant has been working with the US Army Corps of Engineers for any permit requirements for the directional drilling of the water line under the Merrimack River.
7. The applicant has been in contact with the New Hampshire Fish and Game Department and this approval contingent on the applicant following their recommendations.
8. The applicant has an easement/access agreement with the landowner.

2009-01833 NH DRED, DIV OF FOREST & LANDS
STRATFORD Emerson Brook

Requested Action:

Fill approximately 1,000 square feet within the bed and banks of Emerson Brook along 1,200 linear feet by incorporating trees/wood

into the brook by hand (no equipment) to restore aquatic habitat for native brook trout, part of the Nash Stream Restoration Project within the Nash Stream State Forest.

APPROVE PERMIT:

Fill approximately 1,000 square feet within the bed and banks of Emerson Brook along 1,200 linear feet by incorporating trees/wood into the brook by hand (no equipment) to restore aquatic habitat for native brook trout, part of the Nash Stream Restoration Project within the Nash Stream State Forest.

With Conditions:

1. All work shall be in accordance with the approved plans, as received by DES on August 6, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow conditions.
4. Tree placement locations within Emerson Brook shall be determined in consultation with NH Fish & Game Department's Fishery Biologists.
5. A post-construction report with photographs documenting the status of the completed project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t), as the project proposed to restore degraded aquatic resources that benefit native brook trout.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. This project is part of several stream restoration projects being conducted within the Nash Stream State Forest by the NH Fish & Game Department, the DRED Division of Forest & Lands, and Trout Unlimited.

FORESTRY NOTIFICATION

2009-00323 HEBERT, JARED
NORTHFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Northfield Tax Map R7, Lot# 13-1

2009-01626 HHP INC, DONALD WINSOR
RUMNEY Unnamed Stream

COMPLETE NOTIFICATION:
Rumney Tax Map 9-1, Lot# 4

2009-01679 HAZELTON REVOC TRUST, MARION
CHESTER Unnamed Stream

COMPLETE NOTIFICATION:

Chester Tax Mao 1, Lot# 72

2009-01943 WINDSOR WARD TREE FARM
WARNER Unnamed Stream

COMPLETE NOTIFICATION:

Warner Tax Map 4, Lot# 19

2009-01956 NH DRED, STATE NURSERY
TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:

Tamworth Tax Map 211, Lot# 57 White Lake State Park

2009-01957 NH DRED
SALISBURY Unnamed Stream

COMPLETE NOTIFICATION:

Salisbury Tax Map 228, Lot# 8

2009-01958 MISIORSKI, CHRIS & SUE
NEW BOSTON Unnamed Stream

COMPLETE NOTIFICATION:

New Boston Tax Map 8, Lot# 45

2009-01959 HARRIS III, DELBERT
BRADFORD Unnamed Stream

COMPLETE NOTIFICATION:

Bradford Tax Map 3, Lot# 36

2009-01961 SOUTHERN SPECTRUM LLC, MICHAEL APPE
WOLFEBORO Unnamed Stream

COMPLETE NOTIFICATION:

Wolfeboro Tax Map 226, Lot# 4

2009-01962 NH AUDUBON
ANTRIM Unnamed Stream

COMPLETE NOTIFICATION:

Antrim Tax Map 248, Lot# 4

2009-01963 SHEA, BRIAN
BARRINGTON Unnamed Stream

COMPLETE NOTIFICATION:
barrington Tax Map 257, Lot# 29

EXPEDITED MINIMUM

2006-03173 LACONIA DPW, CITY OF
LACONIA Lake Winnepesaukee

Requested Action:

Request for amendment to impact approximately 22 linear to add coir logs and planting to the existing design to address erosion from wave action and the permitted swale outlet.

APPROVE AMENDMENT:

Dredge and fill total of 275 square feet further described as follows: Reset rocks and existing riprap along 37 linear feet of Summit Ave, to repair existing roadway and construct a treatment swale with a rip rap outlet and amend to add coir logs and plantings in the bank of Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans by The City of Laconia Public Works dated February 2007, and revised through August 21, 2007, as received by the Department on August 21, 2007 and e-mail narrative dated September 25, 2008 and amended plan and narrative dated July 20, 2009, as received by the Department on July 23, 2009.
2. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be conducted during low water conditions.
5. Work authorized shall not occur in fish spawning or nursery areas during the reproductive season, or within waterfowl nursery areas during the critical nesting period.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. No White Pines shall be removed as part of this project.
10. All work shall be done from the top of the bank. No equipment shall enter jurisdictional areas.
11. No material shall be removed from below high lake elevation 504.32.
12. All work shall be within the City of Laconia Right-of-Way.
13. No rip-rap shall be placed below elevation 504.32.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 7 days by seeding and mulching.
16. Silt fencing must be removed once the area is stabilized.

17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

With Findings:

The department reaffirms findings 1-9 of the previous approval.

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m) Projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided documentation from NH Fish and Game and US Fish and Wildlife indicating that there will be no impacts to Bald Eagles as a result of this project.
6. The applicant proposes to stabilize the proposed ditch with vegetation and not rip rap.
7. The greater majority of trees was avoided with the relocation of the swale to the east.
8. The applicant has provided evidence that the existing swale outlet within the bank is not holding it's form and is causing erosion into Lake Winnepesaukee.
and makes the following additional finding.
9. This portion of the project is essentially a restoration of the previously existing bank that has occurred as the result of large stones being located within the swale.
10. The proposed amended design is a low impact proposal that should help alleviate continued erosion at the site.

2009-00710 MOYER & HUGHES INVESTMENT PROPERTIES LLC
GILFORD Unnamed Stream

Requested Action:

Dredge and fill 1108 sq. ft. of wetlands for access to 1-lot of a 2-lot residential subdivision. Work in wetlands consists of installation of a 15 in. x 40 ft. HDPE culvert with associated filling, grading and inlet and outlet protection.

APPROVE PERMIT:

Dredge and fill 1108 sq. ft. of wetlands for access to 1-lot of a 2-lot residential subdivision. Work in wetlands consists of installation of a 15 in. x 40 ft. HDPE culvert with associated filling, grading and inlet and outlet protection.

With Conditions:

1. All work shall be in accordance with "Subdivision Plan" plans by Bryan L. Bailey Associates, Inc., revision dated July 20, 2009, as received by DES on July 30, 2009 and revised "Proposed Driveway Plan & Profile" plans and "Erosion Control Detail" plan revision dated August 28, 2009, as received by DES on September 10, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction (and including the identified "Possible Future Wetland Crossing"s) of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback (the conceptual "Possible Future Wetland Crossing"s would be considered for future permitting).
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided two conceptual wetlands impacts for possible future access to upland areas on the lot.
6. A new application will be required for any future impacts beyond this one permitted crossing.

2009-00826 FREEDOM, TOWN OF
FREEDOM Unnamed Pond Stream

Requested Action:

Replace three municipal dry hydrants at three different locations including: location 1 (W.E.P. Family Realty Trust) impact 160 sq. ft. in the bank and stream; location 2 (Ellen Winters) impact 240 sq. ft. at a pond; and location 3 (Sarah Owen Tabor) impact 48 sq. ft. and also replace a 4' wide x 4' tall area collapsing retaining wall at a pond. Total impact 444 sq. ft.

APPROVE PERMIT:

Replace three municipal dry hydrants at three different locations including: location 1 (W.E.P. Family Realty Trust) impact 160 sq. ft. adjacent to a stream; location 2 (Ellen Winters) impact 240 sq. ft. at a pond; and location 3 (Sarah Owen Tabor) impact 48 sq. ft. and also replace a 4' wide x 4' tall area collapsing retaining wall at a pond. Total impact 444 sq. ft.

With Conditions:

1. All work shall be in accordance with plans by Town of Freedom Fire Chief dated 8/9/2008, and erosion control materials dated 8/14/2009 as received by DES on 5/6/2009, and 8/17/2009, respectively.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and

mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

9. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), maintenance or repair of a non-docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The municipal fire chief has submitted the application to do necessary hydrant replacement.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Heritage Bureau as occurring in the project locations.
5. The Freedom Conservation Commission signed the expedited application.

2009-01113 PETERBOROUGH, TOWN OF
PETERBOROUGH Unnamed Stream Wetlands

Requested Action:

Dredge and fill \pm 1,943 sq. ft. of palustrine forested, scrub-shrub and emergent wetlands and perennial stream bank for rehabilitation and improvements to 6,500 feet of Union St., including pavement reclamation, sidewalk extension and drainage, utility and streetscape upgrades.

APPROVE PERMIT:

Dredge and fill \pm 1,943 sq. ft. of palustrine forested, scrub-shrub and emergent wetlands and perennial stream bank for rehabilitation and improvements to 6,500 feet of Union St., including pavement reclamation, sidewalk extension and drainage, utility and streetscape upgrades.

With Conditions:

1. All work shall be in accordance with plans by the Louis Berger Group, Inc. dated January 14, 2009, and revised through July 2009, as received by the Department on August 20, 2009 and detail plans dated April 13, 2009, as received by the DES Wetlands Bureau on June 05, 2009.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Shoreland Program.
4. Work shall be done low flow conditions.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culverts shall be laid at original grade.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j), projects located within the right-of-way of a public road.
2. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
3. The Conservation Commission signed the Minimum Impact Expedited Application.
4. The Town has obtained written permission for work on abutting properties.
5. In correspondence dated September 02, 2009, the NH Division of Historic Resources indicated the project would not have an adverse effect and that no further review for archaeological resources was necessary.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2009-01552 SUTHERLAND, CLAUDE & MARY
PLAINFIELD Unnamed Pond

Requested Action:

Temporarily impact approximately 20,000 square feet of an existing man-made pond for maintenance dredge of less than 20,000 square feet; the repair a drain pipe that is part of the existing dam; and the installation a dry hydrant (50 square feet).

APPROVE PERMIT:

Temporarily impact approximately 20,000 square feet of an existing man-made pond for maintenance dredge of less than 20,000 square feet; the repair a drain pipe that is part of the existing dam; and the installation a dry hydrant (50 square feet).

With Conditions:

1. All work shall be in accordance with plans by the applicant entitled Sutherland Pond and Sutherland- Dry Hydrant Installation, as received by DES on July 22, 2009 and plans by Rollins Land Survey entitled Plan Showing Pond and Edge of Wetland in the Field on land of Claude Read Sutherland Trust and Mary L Sutherland Trust dated October 26, 2007 as received by DES on July 22, 2009.
2. Work shall be done during periods of low flow.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Env-Wt 303.04 (k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways; Env-Wt 303.04 (w) Excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant; Env-Wt 303.04 (x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The dam was permitted in 1978 (NATDAM# NH02917).
6. The Plainfield Fire Chief will include the pond in the Town of Plainfield's Hazard Mitigation Plan as a major source of water in case of fire in the town.
7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau
8. The Plainfield Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

2009-01568 AQUARION WATER COMPANY OF NEW HAMPSHIRE
NORTH HAMPTON Unnamed Wetland

Requested Action:

Temporarily impact 126 square feet of palustrine forested wetland to replace a failing, cast iron water main with HDPE pipe.

Conservation Commission/Staff Comments:

The Rye Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Temporarily impact 126 square feet of palustrine forested wetland to replace a failing, cast iron water main with HDPE pipe.

With Conditions:

1. All work shall be in accordance with plans by Tata & Howard, Inc, as received by the DES on August 21, 2009.
2. The applicant shall notify in writing DES Wetlands Bureau and the North Hampton Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
3. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
4. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Any clearing required in utility line rights-of-way shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
7. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.
8. Wetlands shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades, within 5 days of backfill.
9. All in-stream work shall be conducted during low flow conditions and in a manner so as to minimize turbidity.
10. Stream banks shall be restored to a stable condition and shall be restored to the same as or better than pre-construction conditions.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. A post-construction report documenting status of wetlands restoration shall be submitted to the Wetlands Bureau within six weeks of the completion of construction.
15. The right-of-way shall be monitored and a written report documenting its condition shall be submitted to the Wetlands Bureau by July 15 of the year following construction. The construction report shall include photographic documentation. The Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the right-of-way is not adequately stabilized and restored.
16. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species newly found along the pipeline right-of-way during this same period.
17. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2009-01620 PRATT, FREDERICK
SUTTON Unnamed Wetland**

Requested Action:

Dredge and fill \pm 500 sq. ft. of intermittent stream/palustrine forested wetlands to install twin 8-inch x 20-foot PVC pipe culverts for construction/maintenance road access to a proposed private cemetery.

APPROVE PERMIT:

Dredge and fill \pm 500 sq. ft. of intermittent stream/palustrine forested wetlands to install twin 8-inch x 20-foot PVC pipe culverts for construction/maintenance road access to a proposed private cemetery.

With Conditions:

1. All work shall be in accordance with plans by McCourt Engineering Associates, PLLC dated February 2008, and revised through August 28, 2009, as received by the Department on August 25, 2008.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters,

all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands; and Env-Wt 303.04(n), 50 linear feet of intermittent stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2009-01714 HAYES, CHARLES
RAYMOND Governors Lake

Requested Action:

Repair an existing 40 ft long and 24 ft long retaining wall in kind on Governors Lake, Raymond.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 40 ft long and 24 ft long retaining wall in kind on Governors Lake, Raymond.

With Conditions:

1. All work shall be in accordance with plans, as received by DES on August 07, 2009.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Repair shall maintain existing size, location and configuration.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair or replacement of existing retaining walls.

2009-01820 NOE, TIMOTHY & JILL
ALTON Lake Winnepesaukee

Requested Action:

Construct a 219 sq ft perched beach on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct a 219 sq ft perched beach on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental dated August 03, 2009, as received by DES on August 17, 2009.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
4. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
5. This permit shall be used only once, and does not allow for annual beach replenishment.
6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
7. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a beach.

**2009-01836 BAE SYSTEMS INFORMATION & ELECTRICAL SYSTEM INT IN
MILFORD Unnamed Stream**

Requested Action:

Impact 100 square feet of palustrine forested wetland to replace an existing, failing 8-inch culvert and add a second 8-inch culvert under the existing access road.

Conservation Commission/Staff Comments:

The Milford Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 100 square feet of palustrine forested wetland to replace an existing, failing 8-inch culvert and add a second 8-inch culvert under the existing access road.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated July 27, 2009, as received by DES on August 18, 2009.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of 3,000 square feet of forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the

department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2009-01848 LORENZETTI, PAUL
MANCHESTER Unnamed Wetland Drainage Swale

Requested Action:

Proposal to dredge and fill 2166 sq. ft. of wetlands/drainage swales to improve site drainage.

APPROVE PERMIT:

Dredge and fill 2166 sq. ft. of wetlands/drainage swales to improve site drainage.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc., revision dated 9/2/08, as received by DES on 8/19/09.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2009-01901 KRYSKOW, JOSEPH & PAMELA
ALTON Lake Winnepesaukee

Requested Action:

Repair an existing 70 ft "L" shaped breakwater and 20 linear feet of retaining wall on an average of 150 ft of frontage, Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 70 ft "L" shaped breakwater and 20 linear feet of retaining wall on an average of 150 ft of frontage, Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated August 04, 2009, as received by DES on August 24, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2009-01912 CASSIDY, PATRICIA
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Permanently remove an existing seasonal docking structure and install a 6 ft x 40 ft seasonal dock attached to a 6 ft x 4 ft concrete anchor pad, on an average of 569 feet of frontage, Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Permanently remove an existing seasonal docking structure and install a 6 ft x 40 ft seasonal dock attached to a 6 ft x 4 ft concrete anchor pad, on an average of 569 feet of frontage, Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group and Construction Management dated July 15, 2009, as received by DES on August 25, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property

lines or the imaginary extension of those lines into the water.

4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
6. The concrete pad shall be located entirely above and behind full lake elevation of 504.32.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal dock.
2. The applicant has an average of 569 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 8 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

**2009-01916 IDLEWIND ASSOCIATION, MARK CINQUEGRANA
TUFTONBORO Lake Winnepesaukee**

Requested Action:

Repair an existing 44 ft 4 in x 16 ft 5 in pile supported dock with a 37 ft 6 in pile supported dock, attached to a 42 ft 8 in x 11 ft 7 in permanent dock in an "L" shaped configuration, with a 3 pile ice cluster and 2 tie off piles, with no work to the existing 16 ft 6 in x 37 ft 4 in dock attached to a 8 ft 4 in x 71 ft dock in a "L" shaped configuration on Lake Winnepesaukee, Tuftonboro.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 44 ft 4 in x 16 ft 5 in pile supported dock with a 37 ft 6 in pile supported dock, attached to a 42 ft 8 in x 11 ft 7 in permanent dock in an "L" shaped configuration, with a 3 pile ice cluster and 2 tie off piles, with no work to the existing 16 ft 6 in x 37 ft 4 in dock attached to a 8 ft 4 in x 71 ft dock in a "L" shaped configuration on Lake Winnepesaukee, Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group and Construction Management dated July 03, 2009, as received by DES on August 21, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2009-02066 MEREDITH, TOWN OF
MEREDITH Lake Waukegan

Requested Action:

Repair 45 linear feet of bank and add vegetated buffer areas on Lake Waukegan, Meredith.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair 45 linear feet of bank and add vegetated buffer areas on Lake Waukegan, Meredith.

With Conditions:

1. All work shall be in accordance with plans by NH Lakes Conservation Corps dated August 19, 2009, as received by DES on September 14, 2009.
2. Repair shall maintain existing size, location and configuration.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip rap slope of less than 50 linear feet.

AGRICULTURE MINIMUM

2009-01069 LACAILLADE, WAYNE & PEG
NORTH HAVERHILL Unnamed Pond

Requested Action:

Propose to impact approximately 3,700 square feet for the maintenance cleaning of a farm pond.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny proposal to impact approximately 3,700 square feet for the maintenance cleaning of a farm pond.

With Findings:

1. A request for additional information dated July 10, 2009, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3, requiring the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(b), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.

3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

TRAILS NOTIFICATION

2009-02101 NH DRED
PITTSBURG Unnamed Stream

COMPLETE NOTIFICATION:
Pittsburg Tax Map 1, Lot# 26

2009-02102 NH DRED
CLARKSVILLE Unnamed Stream

COMPLETE NOTIFICATION:
Clarksville Tax Map R12

2009-02103 NH DRED
CLARKSVILLE Unnamed Stream

COMPLETE NOTIFICATION:
Clarksville Tax Map R12/ROW

LAKES-SEASONAL DOCK NOTIF

2009-02081 SPAULDING, RONALD
GILMANTON Shellcamp Pond

COMPLETE NOTIFICATION:
Gilmanton Tax Map 133, Lot# 51 Shellcamp Pond

ROADWAY MAINTENANCE NOTIF

2009-02075 NH DEPT OF TRANSPORTATION
EXETER Unnamed Stream

2009-02078 NEWMARKET, TOWN OF
NEWMARKET Unnamed Wetland

COMPLETE NOTIFICATION:
Replace culvert

2009-02079 NH DEPT OF TRANSPORTATION
EATON Unnamed Stream

COMPLETE NOTIFICATION:
Replace 15"x 40' CMP

2009-02080 NH DEPT OF TRANSPORTATION
TUFTONBORO Unnamed Stream

COMPLETE NOTIFICATION:
Replace culvert

PERMIT BY NOTIFICATION

2009-01837 CARVOTTA, EDWARD
STRAFFORD Bow Lake

Requested Action:
Repair 62 linear ft of stone retaining wall in the dry, on approximately 170 ft of frontage on Bow Lake, in Strafford.

PBN IS COMPLETE:
Repair 62 linear ft of stone retaining wall in the dry, on approximately 170 ft of frontage on Bow Lake, in Strafford.

2009-02027 ALLARD, LAWRENCE
MANCHESTER Merrimack River

Requested Action:
Proposal to repair an existing granite block retaining wall along the Merrimack River. The wall is associated with a stormwater drain outfall off of Stark Lane and has become damaged from previous storm/flood events.

PBN IS COMPLETE:
PBN complete to repair an existing granite block retaining wall along the Merrimack River. The wall is associated with a stormwater drain outfall off of Stark Lane and has become damaged from previous storm/flood events.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c) Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration. If a wall is to be refaced such additional width

shall not exceed 6 inches.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The work is proposed to be conducted in the dry during drawdown of the River by PSNH.

**2009-02029 PSNH
HOOKSETT Unnamed Wetland**

Requested Action:

Proposal to temporarily impact 9050 sq. ft. of wetlands for installation of access crossings and work areas for maintenance/repairs to an existing utility transmission line.

PBN IS COMPLETE:

PBN complete to temporarily impact 9050 sq. ft. of wetlands for installation of access crossings and work areas for maintenance/repairs to an existing utility transmission line.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(af) Temporary impacts associated with the inspection, maintenance, and repair of existing utility lines within an existing utility right of way.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2009-02032 PSNH
BOW Unnamed Stream Wetland**

Requested Action:

Proposal to temporarily impact 600 sq. ft. of wetlands for installation of access crossings for maintenance/repairs to an existing utility transmission line.

PBN IS COMPLETE:

PBN complete to temporarily impact 600 sq. ft. of wetlands for installation of access crossings for maintenance/repairs to an existing utility transmission line.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(af) Temporary impacts associated with the inspection, maintenance, and repair of existing utility lines within an existing utility right of way.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

CSPA PERMIT

2009-00799 CRAWFORD, HUGH
WOLFEBORO Lake Wentworth

Requested Action:

Impact 3425 sq ft for the purpose of constructing a pervious driveway, an infiltration trench, and a 145 sq ft patio.

APPROVE PERMIT:

Impact 3425 sq ft for the purpose of constructing a pervious driveway, an infiltration trench, and a 145 sq ft patio.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co. revised August 28, 2009 and received by the Department of Environmental Services ("DES") on September 8, 2009.
2. No portion of the proposed porch shall be constructed within the primary building setback.
3. No additional impervious surface area may be constructed on the lot of record until the existing driveway is removed and replaced with pervious technologies.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. No more than 26.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
9. The project as proposed will leave approximately 500 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures or conditions depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-01083 BEVILACQUA, JAMES
CENTER HARBOR Squam Lake

Requested Action:

Impact 4480 sq ft for the purpose of constructing a tennis court.

APPROVE PERMIT:

Impact 4480 sq ft for the purpose of constructing a tennis court.

With Conditions:

1. All work shall be in accordance with plans by Simon Horton dated May 3, 2009 and received by the Department of Environmental Services ("DES") on August 28, 2009.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
3. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. No more than 3.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
7. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures or conditions depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-01106 DURANT, PAUL & MARY
SEABROOK Atlantic Ocean

Requested Action:

Impact 11,482 sq ft for the purpose of removing an existing single-family dwelling and constructing a new single-family dwelling with swimming pool and patio.

APPROVE PERMIT:

Impact 11,482 sq ft for the purpose of removing an existing single-family dwelling and constructing a new single-family dwelling with swimming pool and patio.

With Conditions:

1. All work shall be in accordance with plans by NHSC Inc Environmental Consultants dated January 29, 2009 and received by the Department of Environmental Services ("DES") on June 08, 2009.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
3. All proposed impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. No more than 20.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless

additional approval is obtained from DES.

8. The project as proposed will leave approximately 2848 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2448 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures or conditions depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-01199 WEIGEL, JAMES/GAIL
TUFTONBORO Lake Winnepesaukee

Requested Action:

Impact 150 sq ft for the temporary impacts associated with connecting additional lines to an existing septic tank.

APPROVE PERMIT:

Impact 150 sq ft for the temporary impacts associated with connecting additional lines to an existing septic tank.

With Conditions:

1. All work shall be in accordance with plans by Farwell Engineering Services LLC dated August 25, 2009 and received by the Department of Environmental Services ("DES") on September 1, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. No more than 24.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
8. The project as proposed will leave approximately 4500 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3566 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-01683 LOCK, BRIAN/MARINA
CENTER BARNSTEAD Locke Lake

Requested Action:

Impact 11,128 sq ft for the purpose of constructing a single-family dwelling with a detached garage and a driveway and installing a state-approved septic system.

APPROVE PERMIT:

Impact 11,128 sq ft for the purpose of constructing a single-family dwelling with a detached garage and a driveway and installing a state-approved septic system.

With Conditions:

1. All work shall be in accordance with plans by Orvis & Drew LLC revised August 3, 2009 and received by the Department of Environmental Services ("DES") on August 5, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All proposed impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. No more than 18.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
9. The project as proposed will leave approximately 2880 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2850 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures or conditions depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-01730 WEIDNER, DANIEL
WOLFEBORO Lake Wentworth

Requested Action:

Impact 2210 sq ft for the purpose constructing a foundation under an existing single-family dwelling and expanding an existing deck.

APPROVE PERMIT:

Impact 2210 sq ft for the purpose constructing a foundation under an existing single-family dwelling and expanding an existing deck.

With Conditions:

1. All work shall be in accordance with plans by Daniel F. Weidner dated August 10, 2009 and received by the Department of Environmental Services ("DES") on August 10, 2009.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.

3. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. No more than 18.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
7. The stumps and root structures of any trees cut within the waterfront buffer shall be left intact in the ground in order to comply with RSA 483-B:9,V,(a),(2),(B)
8. No segment of the Waterfront Buffer that currently meets the minimum standards of RSA 483-B shall be made non-conforming in the Post-Construction condition.
9. The temporary impacts within the waterfront buffer needed for construction access shall be repainted with native vegetation within 30 days of completion of the proposed foundation.
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures or conditions depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-01791 FAGAN, PETER
GILFORD Lake Winnepesaukee

Requested Action:

Impact 468 sq ft for the purpose of constructing a new accessory structure.

APPROVE PERMIT:

Impact 468 sq ft for the purpose of constructing a new accessory structure.

With Conditions:

1. All work shall be in accordance with plans submitted by Peter Fagan, dated August 12, 2009, and received by the Department of Environmental Services ("DES") on August 14, 2009.
2. No more than 6.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 9,608 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 9,170 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control

Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Silt fencing must be removed once the area is stabilized.

2009-01846 YMCA CAMP CONISTON
CROYDON Lake Coniston

Requested Action:

Impact 4,090 sq ft for the purpose of rennovating an existing accessory structure.

APPROVE PERMIT:

Impact 4,090 sq ft for the purpose of rennovating an existing accessory structure.

With Conditions:

1. All work shall be in accordance with plans submitted by Clayton Platt, Ennyroyal Mill Land Surveying, LLC., received by the Department of Environmental Services ("DES") on August 19, 2009.
2. No more than 3.05% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1,668,000 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 814,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.
12. This permit is contingent on approval by the DES Subsurface Systems Bureau.

2009-01868 HOWELL, EDWARD & CATHY
MARLBOROUGH Stone Pond

Requested Action:

Impact 2932 sq ft for the purpose of constructing a detached garage and expanding an existing driveway.

APPROVE PERMIT:

Impact 2932 sq ft for the purpose of constructing a detached garage and expanding an existing driveway.

With Conditions:

1. All work shall be in accordance with plans by CKD & Associates LLC dated August 11, 2009 and received by the Department of Environmental Services ("DES") on August 20, 2009.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
3. Any impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. No more than 18.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
8. The project as proposed will leave approximately 10,436 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 7872 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures or conditions depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-01899 BELLAVANCE, SAMUEL
GILMANTON Crystal Lake

Requested Action:

Impact 1300 square feet to install a new septic system including a tank, leachfield, and septic lines.

APPROVE PERMIT:

Impact 1300 square feet to install a new septic system including a tank, leachfield, and septic lines.

With Conditions:

1. All work shall be in accordance with plans by Bryan L. Bailey Associates, Inc. dated August 17, 2009 and received by the Department of Environmental Services ("DES") on August 21, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands and jurisdictional areas that are to remain in an unaltered state.
4. No more than 18% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. The project as proposed will leave approximately 7237 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 7237 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-01915 SAMPLE, BARBARA
TUFTONBORO Lake Winnepesaukee

Requested Action:

Impact 4,233 sq ft, including 2,535 sq ft of temporary impacts, to construct 2 bedroom camp on piers with septic tank, pump chamber septic lines, and a access road to a proposed well.

APPROVE PERMIT:

Impact 4,233 sq ft, including 2,535 sq ft of temporary impacts, to construct 2 bedroom camp on piers with septic tank, pump chamber septic lines, and a access road to a proposed well.

With Conditions:

1. All work shall be in accordance with plans by T. F. Bernier, Inc dated August 2009 and received by the Department of Environmental Services ("DES") on August 25, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands and areas to remain in an unaltered state.
4. No more than 12% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 3068 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-01921 BDJ REAL ESTATE LLC
LOUDON Suncock River

Requested Action:

Impact 31400 sq ft for the purpose of constructing a commercial building with parking area and associated utilities.

APPROVE PERMIT:

Impact 31400 sq ft for the purpose of constructing a commercial building with parking area and associated utilities.

With Conditions:

1. All work shall be in accordance with plans by Meisner Brem Corporation revised July 27, 2009 and received by the Department of Environmental Services ("DES") on August 26, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. No more than 10.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
9. The project as proposed will leave approximately 32,000 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 17,128 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures or conditions depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

CSPA PERMIT W/VARIANCE

2009-01644 DAY, ROBERT
UNITY Little Sugar River

Requested Action:

Impact 920 sq ft for the purpose of constructing a new bridge.

APPROVE PERMIT:

Impact 920 sq ft for the purpose of constructing a new bridge.

With Conditions:

1. All work shall be in accordance with plans by Beaver Tracks, LLC., received by the Department of Environmental Services ("DES") on July 23, 2009.
2. No more than .11% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 350,000 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 262,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

CSPA PERMIT W/WAIVER

2009-00696 MASTRIANO, CHRISTOPHER
DERRY Island Pond

Requested Action:

Impact 7,674 sq ft for the purpose of constructing an addition onto an existing, non-conforming single-family dwelling, a detached garage, a pervious driveway and installing a state approved septic system.

APPROVE PERMIT:

Impact 7,674 sq ft for the purpose of constructing an addition onto an existing, non-conforming single-family dwelling, a detached garage, a pervious driveway and installing a state approved septic system.

WAIVER APPROVED: Pursuant to RSA 483-B:11 II, RSA 483-B:9,II is hereby waived to allow construction of the proposed project within the Setback.

With Conditions:

1. All work shall be in accordance with plans by James Lavelle Associates LLC revised June 25, 2009 and received by the Department of Environmental Services ("DES") on July 8, 2009. 2. This approval includes a waiver of RSA 483-B:9,II and, therefore, shall not be effective until it has been recorded at the Rockingham County Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Stormwater management systems, and a state approved septic system shall be installed in accordance with the approved plan prior to the construction of any additional impervious surfaces on the lots of record.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
6. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (i).

7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. No more than 19.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
11. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures or conditions depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Island Pond and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The project as proposed would result in an expanding the footprint of an existing non-conforming primary structure.
4. The applicant has proposed to install a drywell and a state approved septic system and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

2009-01732 LAKE SHORE PARK ASSOCIATION
GILFORD Lake Winnepesaukee

Requested Action:

Impact 345 sq ft for the purpose of renovating an existing cottage and constructing a new accessory structure.

APPROVE PERMIT:

Impact 345 sq ft for the purpose of renovating an existing cottage and constructing a new accessory structure.

With Conditions:

1. All work shall be in accordance with plans submitted by Alan Kirkman, Executive Director, Lake Shore Park Association received by the Department of Environmental Services ("DES") on August 11, 2009.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 32.45% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 0.0 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 160,830 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. Silt fencing must be removed once the area is stabilized.

WAIVER APPROVED: RSA 483-B:9, V(g)(1) is waived to allow the expansion of a primary structure on a lot within the protected shoreland that exceeds 30% impervious surface coverage.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Squam Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.

2. The existing non-conforming structure is located on a lot that exceeds 30% impervious surface coverage adjacent to Lake Winnisquam and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, V (g)(1), of the CSPA.

3. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."

4. The applicant has proposed to remove approximately 49 sq ft of impervious surface coverage of the lot within the protected shoreland.

5. The applicant has proposed to install stormwater controls consisting of infiltration trenches and a drywell.

6. The applicant has proposed to plant additional trees within the natural woodland buffer.

7. The applicant has proposed to reduce the overall impervious area within the protected shoreland, install stormwater controls, enhance the natural woodland buffer with additional native vegetation, and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

2009-01897 MAILHOT, DENNIS
BELMONT Silver Lake

Requested Action:

Impact 9,970 sq ft for the purpose of constructing a new residential dwelling and associated accessory structure.

APPROVE PERMIT:

Impact 9,970 sq ft for the purpose of constructing a new residential dwelling and associated accessory structure.

With Conditions:

1. All work shall be in accordance with plans submitted by Rokeh Consulting, LLC., 18, 2009, received by the Department of Environmental Services ("DES") on August 24, 2009.

2. No more than 24.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

4. All stormwater management controls will be designed and maintained to effectively absorb and infiltrate stormwater.

5. The project as proposed will leave approximately 0.0 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 4,283 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with

applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.
14. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.

2009-01900 FINE, ALBERT
TILTON Lake Winnepesaukee

Requested Action:

Impact 1,470 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures.

APPROVE PERMIT:

Impact 1,470 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures.

With Conditions:

1. All work shall be in accordance with plans by Lepene Engineering, LLC., dated June 12, 2009 and received by the Department of Environmental Services ("DES") on August 28, 2009.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 29.99% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
5. The project as proposed will leave approximately 3,692 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,646 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.
14. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

WAIVER APPROVED: RSA 483-B:9, V(g)(1) is waived to allow the expansion of a primary structure on a lot within the protected shoreland that exceeds 30% impervious surface coverage.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnisquam and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. The existing non-conforming structure is located on a lot that exceeds 30% impervious surface coverage adjacent to Lake Winnisquam and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, V (g)(1), of the CSPA.
3. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
4. The applicant has proposed to remove approximately 985 sq ft of impervious surface within the natural woodland buffer.
5. The applicant has proposed to remove 200 sq ft of impervious surface coverage within the waterfront buffer.
6. The applicant has proposed to install stormwater controls consisting of downspots that directs stormwater to a catch basin.
7. The applicant has proposed to decrease the overall imperviousness of the lot within the protected shoreland by 5.21%
8. The applicant has proposed to connect the new residential dwelling to a municipal public sewerage system.
9. The applicant has proposed to install stormwater controls, significantly decrease impervious surface coverage and connect to the existing municipal sewerage system, and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.